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APPLICATION NO.	FILIN	IG DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,792	85,792 06/20/2001		Basanth Jagannathan	FIS920000402US1	4506
:	7590	12/11/2002			
Michael E. W			EXAMINER		
McGuireWood Suite 1800	,		LATTIN, CHRISTOPHER W		
1750 Tysons Blvd. McLean, VA 22102				ART UNIT	PAPER NUMBER
,				2812	
			DATE MAILED: 12/11/2002		

Please find below and/or attached an Office communication concerning this application or proceeding.

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		Application No.	Applicant(s)				
•		09/885,792	JAGANNATHAN ET AL.				
Office Action Summary		Examiner	Art Unit				
		Christopher W Lattin	2812				
	The MAILING DATE of this communication ap	pears on the cover sheet with the	correspondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM							
- Extens after S - If the p - If NO p - Failure	ions of time may be available under the provisions of 37 CFR 1 IX (6) MONTHS from the mailing date of this communication. It is included in the provision of 37 CFR 1 included in the pr	ply within the statutory minimum of thirty (30) daily will apply and will expire SIX (6) MONTHS from the cause the application to become ABANDON	ays will be considered timely. In the mailing date of this communication. IED (35 U.S.C. § 133).				
1) 🖂	Responsive to communication(s) filed on 13	November 2002 .					
2a)⊠	This action is FINAL . 2b) 7	his action is non-final.					
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims							
4)⊠	Claim(s) 1-16 is/are pending in the application	on.					
	4a) Of the above claim(s) <u>1-12</u> is/are withdra	wn from consideration.					
	Claim(s) is/are allowed.						
•	6)⊠ Claim(s) <u>13-16</u> is/are rejected.						
7)	Claim(s) is/are objected to.						
8)	Claim(s) are subject to restriction and	/or election requirement.					
Applicati	on Papers						
9) 🗌 .	The specification is objected to by the Exami	ner.					
10)	The drawing(s) filed on is/are: a)☐ acc	cepted or b) objected to by the Ex	xaminer.				
	Applicant may not request that any objection to	the drawing(s) be held in abeyance.	See 37 CFR 1.85(a).				
11) 🔲	The proposed drawing correction filed on		proved by the Examiner.				
If approved, corrected drawings are required in reply to this Office action.							
12)	12)∐ The oath or declaration is objected to by the Examiner.						
Priority (ınder 35 U.S.C. §§ 119 and 120						
13)	Acknowledgment is made of a claim for fore	eign priority under 35 U.S.C. § 119	9(a)-(d) or (t).				
	☐ All b)☐ Some * c)☐ None of:						
	1. Certified copies of the priority documents have been received.						
	2 Certified copies of the priority documents have been received in Application No						
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.							
14)	Acknowledgment is made of a claim for dome	estic priority under 35 U.S.C. § 11	9(e) (to a provisional application).				
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received.							
15)	Acknowledgment is made of a claim for dom	estic priority under 35 U.S.C. §§ 1	120 and/or 121.				
Attachme			mary (PTO-413) Paper No(s)				
2\ \ Noti	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO-948) rmation Disclosure Statement(s) (PTO-1449) Paper No(5) Notice of Inform	nal Patent Application (PTO-152)				

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or (2) a patent granted on an application for patent by another filed in the United States before the

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 13, 14 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Chantre et al. (U.S. Patent 6,177,717).

Chantre et al. anticipate a transistor that has a collector region 60, a SiGe base 81, an emitter stack overlying the collector region, said emitter stack including an emitter opening filled with T-shaped polysilicon 111, said T-shaped polysilicon overlying nitride regions 10 included in said stack, SiGe extrinsic base regions (see Figure 6) arranged on respective sides of said emitter stack, the extrinsic base regions aligned with the polysilicon layer 111, but not directly with the emitter opening contacts, and contacts.

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Claims 13 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by he admitted prior art.

The admitted prior art anticipates a transistor that has a collector region, a SiGe base, an emitter stack overlying the collector region, said emitter stack including an emitter opening filled with T-shaped polysilicon, said T-shaped polysilicon overlying nitride regions included in said stack, and SiGe extrinsic base regions arranged on respective sides of said emitter stack, the extrinsic base regions aligned with the polysilicon layer, but not directly with the emitter opening contacts, wherein a base contact is formed on the longer extrinsic base region.

Response to Arguments

Applicant's arguments filed 11/13/02 have been fully considered but they are not persuasive. Applicant argues the cited prior art fails to teach T-shaped polysilicon. The background section of the present specification clearly admits to the formation of T-shaped polysilicon gates. Chantre et al. teach that polysilicon is well known as a T-shaped gate material, but indicates that single crystal silicon is preferred.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Lattin whose telephone number is (703) 305-3017. The examiner can normally be reached Monday through Friday from 8:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Niebling, can be reached at (703) 308-3325. The fax number for this Group is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Supervisory Palent Diamines

December 4, 2002